



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,624	12/17/2001	Michael Wayne Brown	AUS920010835US1	1192

7590 02/12/2004
Biggers & Ohanian, PLLC
5 Scarlet Ridge
Austin, TX 78737

EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
----------	--------------

2645

DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,624

Applicant(s)

BROWN ET AL.

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 and 35-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 and 35-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 2, 4-8, 11-17, 19-23, 26-32 and 36-47 are rejected under 35

U.S.C. 102(e) as being anticipated by Gurbani US 6,282,275.

1.1 Regarding claim 1, Gurbani discloses a subscriber's telephone call-log with Internet access in figure 1. Gurbani teaches:

detecting a caller's identification, or caller ID (context) (column 2, lines 33-38, 44-53);

accessing at least one caller ID based logging request (called party being a caller ID subscriber) for said call (column 2, lines 53-58); and

logging said caller ID in caller identification logging server 124 (column 2, lines 59-63).

Art Unit: 2645

1.2 Regarding claim 2, Gurbani teaches that the caller ID is detected by service control point (SCP) 122, which is within a trusted telephone network (column 2, lines 53-58).

1.3 Regarding claim 4, Gurbani further teaches:
detecting a plurality of telephone numbers (context clues) including caller ID and called directory number (figures 2A and 2B); and
identifying a caller ID from the plurality of caller IDs (figures 2A and 2B).

1.4 Regarding claim 5, Gurbani teaches that caller ID is from an identity of call origin telephone device 102 (column 2, lines 33-38, 44-58).

1.5 Regarding claim 6, Gurbani teaches that caller ID is from telephone device 102 utilized for the call (column 2, lines 33-38, 44-58).

1.6 Regarding claim 7, Gurbani teaches that the subscriber (called party) requests logging the caller's ID (column 2, lines 53-58).

1.7 Regarding claim 8, Gurbani teaches identifying if a called telephone number subscribes caller ID logging service (column 2, lines 53-58).

Art Unit: 2645

1.8 Regarding claim 11, Gurbani teaches notifying the subscriber of caller ID logged (column 5, lines 21-29).

1.9 Regarding claim 12, Gurbani teaches notifying the subscriber (designated party) of caller ID logged (column 5, lines 21-29).

1.10 Regarding claim 13, Gurbani teaches time stamps and stores logged caller ID (column 2, lines 59-63). It is inherent that if a caller calls more than once, his caller ID would be updated.

1.11 Regarding claim 14, Gurbani teaches authenticating the subscriber before forwarding caller IDs to the subscriber's computer 130 through Internet (column 28-43).

1.12 Regarding claim 15, Gurbani teaches filtering a plurality of caller IDs (with and without caller ID) for a plurality of callers detecting a valid caller ID and determining that called ID logging request (by the subscriber) is valid (column 2, lines 53-58; Figures 2A and 2B).

1.13 Regarding claim 16, Gurbani discloses a subscriber's telephone call-log with Internet access in figure 1. Gurbani teaches:

a caller identification logging server 124 (logging controller) connected to a service control point (SCP) 122 (column 2, lines 53-58), which is connected to a trusted

telephone network (Figure 1; column 2, lines 44-53). Gurbani further teaches that SCP 122 and caller identification logging server 124 may be unified into one single unit (column 5, lines 48-52);

means for accessing at least one caller ID based logging request (called party being a caller ID subscriber) for said call (column 2, lines 53-58); and

means for logging said caller ID in caller identification logging server 124 according to caller ID logging request (column 2, lines 53-63).

1.14 Regarding claim 17, Gurbani teaches that the caller ID is detected by service control point (SCP) 122, which is within a trusted telephone network (column 2, lines 53-58).

1.15 Regarding claim 19, Gurbani further teaches:

detecting a plurality of telephone numbers (context clues) including caller ID and called directory number (figures 2A and 2B); and

identifying a caller ID from the plurality of caller IDs (figures 2A and 2B).

1.16 Regarding claim 20, Gurbani teaches that caller ID is from an identity of call origin telephone device 102 (column 2, lines 33-38, 44-58).

1.17 Regarding claim 21, Gurbani teaches that caller ID is from telephone device 102 utilized for the call (column 2, lines 33-38, 44-58).

1.18 Regarding claim 22, Gurbani teaches that the subscriber (called party) requests logging the caller's ID (column 2, lines 53-58).

1.19 Regarding claim 23, Gurbani teaches identifying if a called telephone number subscribes caller ID logging service (column 2, lines 53-58).

1.20 Regarding claim 26, Gurbani teaches notifying the subscriber of caller ID logged (column 5, lines 21-29).

1.21 Regarding claim 27, Gurbani teaches notifying the subscriber (designated party) of caller ID logged (column 5, lines 21-29).

1.22 Regarding claim 28, Gurbani teaches time stamps and stores logged caller ID (column 2, lines 59-63). It is inherent that if a caller calls more than once, his caller ID would be updated.

1.23 Regarding claim 29, Gurbani teaches authenticating the subscriber before forwarding caller IDs to the subscriber's computer 130 through Internet (column 28-43).

1.24 Regarding claim 30, Gurbani teaches filtering a plurality of caller IDs (with and without caller ID) for a plurality of callers detecting a valid caller ID and determining that

called ID logging request (by the subscriber) is valid (column 2, lines 53-58; Figures 2A and 2B).

1.25 Regarding claim 31, Gurbani discloses a subscriber's telephone call-log with Internet access in figure 1. Gurbani teaches a caller identification logging server 124, which is connected to a service control point (SCP) 122 (column 2, lines 53-58). Gurbani further teaches that SCP 122 and caller identification logging server 124 may be unified into one single unit (column 5, lines 48-52). The single unit, inherently has a computer program for controlling call logging, comprising:

a recording medium (column 2, lines 53-63);

means, recorded on said recording medium, for accessing at least one caller ID based logging request (called party being a caller ID subscriber) for said call (column 2, lines 53-58); and

means, recorded on said recording medium, for logging said caller ID in caller identification logging server 124, according to caller ID logging request (column 2, lines 53-63).

1.26 Regarding claim 32, Gurbani further teaches:

detecting a plurality of telephone numbers (context clues) including caller ID and called directory number (figures 2A and 2B); and

identifying a caller ID from the plurality of caller IDs (figures 2A and 2B).

1.27 Regarding claim 36, Gurbani teaches notifying the subscriber of caller ID logged (column 5, lines 21-29).

1.28 Regarding claim 37, Gurbani teaches notifying the subscriber (designated party) of caller ID logged (column 5, lines 21-29).

1.29 Regarding claim 38, Gurbani teaches time stamps and stores logged caller ID (column 2, lines 59-63). It is inherent that if a caller calls more than once, his caller ID would be updated.

1.30 Regarding claim 39, Gurbani teaches authenticating the subscriber before forwarding caller IDs to the subscriber's computer 130 through Internet (column 28-43).

1.31 Regarding claim 40, Gurbani teaches filtering a plurality of caller IDs (with and without caller ID) for a plurality of callers detecting a valid caller ID and determining that called ID logging request (by the subscriber) is valid (column 2, lines 53-58; Figures 2A and 2B).

1.32 Regarding claims 41 and 44, Gurbani discloses a subscriber's telephone call-log with Internet access in figure 1. Gurbani teaches:

logging a caller ID at an identification logging server 124 for a called party who subscribes caller ID logging service, when caller ID is present (figures 2A and 2B; column 2, lines 53-58); and

responding to a request by the called party (subscriber), controlling output of logged caller ID to the called party (column 3, lines 28-43).

1.33 Regarding claims 42 and 45, Gurbani further teaches prioritizing caller IDs (column 3, lines 48-55).

1.34 Regarding claims 43 and 46, Gurbani teaches outputting caller IDs to a subscriber's computer 130 (column 3, lines 28-43).

1.35 Regarding claim 47, Gurbani discloses a subscriber's telephone call-log with Internet access in figure 1. Gurbani teaches a caller identification logging server 124, which is connected to a service control point (SCP) 122 (column 2, lines 53-58). Gurbani further teaches that SCP 122 and caller identification logging server 124 may be unified into one single unit (column 5, lines 48-52). The single unit, inherently has a computer program for controlling call logging, comprising:

a recording medium (column 2, lines 53-63);

means (computer software or application) for logging a caller ID at an identification logging server 124 for a called party who subscribes caller ID logging service, when caller ID is present (figures 2A and 2B; column 2, lines 53-58); and

means (computer software or application) for responding to a request by the called party (subscriber), controlling output of logged caller ID to the called party (column 3, lines 28-43).

2. Claims 1, 3, 4, 16, 18, 19, 31 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Shaffer et al. US 6,363,145.

2.1 Regarding claim 1, Shaffer discloses a method for recording an incoming call at a call center based on call context. Shaffer teaches:

detecting a context, such as a voice data pattern (column 7, lines 10-18) for an call (column 7, lines 25-30);

accessing a recording (logging) request valid for said voice data pattern (column 4, lines 34-39, 44-67; column 5, lines 1-18, 66-67; column 6, lines 1-17); and

recording said voice data pattern (context) in a memory (column 7, lines 25-29).

2.2 Regarding claim 3, Shaffer teaches that the voice data pattern is detected by a digital signal processor (DSP) 22 in an ACD Gateway 16, which outside a trusted telephone network (Figures 1 and 2; column 5, lines 66-67; column 6, lines 1-17; column 7, lines 25-29).

2.3 Regarding claim 4, Shaffer teaches a plurality of voice data pattern clues (column 2, lines 43-67).

2.4 Regarding claim 16, Shaffer discloses a system for recording an incoming call at a call center based on call context in figures 1 and 2, comprising:

a digital signal processor (DSP) 22 for detecting a context, such as a voice data pattern (column 7, lines 10-18) for an call (column 7, lines 25-30);

means for accessing a recording (logging) request valid for said voice data pattern (column 4, lines 34-39, 44-67; column 5, lines 1-18, 66-67; column 6, lines 1-17); and

means for recording said voice data pattern (context) in a memory (column 7, lines 25-29).

2.5 Regarding claim 18, Shaffer teaches that the voice data pattern is detected by the DSP 22 in an ACD Gateway 16, which outside a trusted telephone network (Figures 1 and 2; column 5, lines 66-67; column 6, lines 1-17; column 7, lines 25-29).

2.6 Regarding claim 19, Shaffer teaches a plurality of voice data pattern clues (column 2, lines 43-67).

2.7 Regarding claim 31, Shaffer discloses an automated silent call monitoring system in figures 1 and 2, comprising:

a memory²⁶;

means (digital signal processor, or DSP 22) for detecting a context, such as a voice data pattern (column 7, lines 10-18) for an call (column 7, lines 25-30);

means for accessing a recording (logging) request valid for said voice data pattern (column 4, lines 34-39, 44-67; column 5, lines 1-18, 66-67; column 6, lines 1-17); and

means for recording said voice data pattern (context) in a memory (column 7, lines 25-29).

2.8 Regarding claim 32, Shaffer teaches a plurality of voice data pattern clues (column 2, lines 43-67).

3. Claims 1, 9, 10, 16, 24, 25, 31, 33, 35, 41, 44 and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Maloney et al. US 5,535,256.

3.1 Regarding claim 1, Maloney discloses a method for monitoring a call at a call center. Maloney teaches:

detecting an agent's extension (context) taking a call (column 7, lines 66-67; column 8, lines 1-2; figure 5, block 172; column 15, lines 53-58);

accessing a monitoring scheduled for said agent for monitoring said call (column 4, lines 25-51; column 5, lines 7-14); and

recording (logging) said agent's extension according to the scheduled monitoring request (column 5, lines 25-49).

3.2 Regarding claims 9 and 10, Maloney teaches said call recorded and said agent is notified of recording (column 4, lines 25-35; column 5, lines 50-60).

3.3 Regarding claim 16, Maloney discloses a system for monitoring a call at a call center, comprising:

means for detecting an agent's extension (context) taking a call (column 7, lines 66-67; column 8, lines 1-2; figure 5, block 172; column 15, lines 53-58);

means for accessing a monitoring scheduled for said agent for monitoring said call (column 4, lines 25-51; column 5, lines 7-14); and

means for recording (logging) said agent's extension according to the scheduled monitoring request (figure 3; column 5, lines 25-49).

3.4 Regarding claims 24 and 25, Maloney teaches said call recorded and said agent is notified of recording (column 4, lines 25-35; column 5, lines 50-60).

3.5 Regarding claim 31, Maloney discloses a computer program product for monitoring a call at a call center, comprising:

a hard disk 104 (recording medium) (column 7, lines 11-17);

means for detecting an agent's extension (context) taking a call (column 7, lines 66-67; column 8, lines 1-2; figure 5, block 172; column 15, lines 53-58);

means for accessing a monitoring scheduled for said agent for monitoring said call (column 4, lines 25-51; column 5, lines 7-14); and

means for recording (logging) said agent's extension according to the scheduled monitoring request (figure 3; column 5, lines 25-49).

3.6 Regarding claims 33 and 35, Maloney teaches said call recorded and said agent is notified of recording (column 4, lines 25-35; column 5, lines 50-60).

3.7 Regarding claims 41 and 44, Maloney discloses a system for monitoring a call at a call center, comprising:

means for recording (logging) an agent's name and extension number (context entry) of said call, for a supervisor according to the scheduled monitoring request (figures 2 and 3; column 5, lines 7-49); and

Means for responsive to a request by said supervisor, controlling output of said agent's name and extension number to said supervisor (figure 3; column 5, lines 25-49).

3.8 Regarding claim 47, Maloney discloses a computer program product for controlling a call at a call center, comprising:

a hard disk 104 (recording medium) (column 7, lines 11-17);

means for recording (logging) an agent's name and extension number (context entry) of said call, for a supervisor according to the scheduled monitoring request (figures 2 and 3; column 5, lines 7-49); and


Means for responsive to a request by said supervisor, controlling output of said agent's name and extension number to said supervisor (figure 3; column 5, lines 25-49).

Response to Arguments

4. Applicant's arguments with respect to claims 1-33 and 35-47 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

01/26/2004

FAN TSANG
SUPERVISOR, PATENT EXAMINER
TECHNOLOGY CENTER 2600

